

United States Senate

Washington, DC 20510-1304

October 16, 2018

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20004

Dear Acting Administrator Wheeler:

I request that the U.S. Environmental Protection Agency (EPA) thoroughly review its Effluent Limitations Guidelines and Standards for the Meat and Poultry Products and set new, stricter standards that are more protective of environmental health and better reflect the best available science and use of existing technologies and practices to limit harmful pollution from meat-processing plants into sensitive waterways.

Recent reports by the *Environmental Integrity Project* and the *Chicago Tribune* show that a JBS-owned pork-processing plant in Beardstown, Illinois, released 1,849 pounds of nitrogen a day, on average, into a tributary to the Illinois River. That is equivalent to the amount of pollution produced from the raw sewage of a city of 79,000 people. This is particularly concerning as nitrogen pollution is known to damage waterways and kill wildlife by causing excessive algae growth and creating low-oxygen 'dead zones.'

Illinois residents have already seen the harmful effects of the Beardstown plant's pollution. In March 2015, the same facility spilled 29 million gallons of wastewater into nearby waterways and killed nearly 65,000 fish. Following the incident, Illinois Attorney General Lisa Madigan sued the company and forced it to pay \$150,000 in civil penalties to the Illinois Environmental Protection Agency and \$34,000 to the Illinois Wildlife and Fish Fund. However, the company never admitted any wrongdoing.

This could be because, shockingly, high levels of pollution emissions do not violate the facility's permit, which allows it to dump more than 4,000 pounds of nitrogen into the Illinois River daily. This excessively high permit level is unnecessary as more than half the meat-processing plants in the country currently discharge only a third of the amount of pollution—meaning that the Beardstown plant can easily reduce the environmental damage it causes by installing existing technology.

EPA should revise its outdated 2004 discharge standards to set more stringent water pollution limits that require meat-processing plants to use the best available control technologies and require better monitoring of and reporting by the facilities to ensure they are in compliance. In addition, EPA must work with state authorities to set more restrictive standards for processing plants that discharge into sensitive waterways, like the Illinois River, by setting total maximum daily load limits and better enforcing standards by requiring penalties and reclamation when violations occur.

I urge EPA to use its full authority to protect public and environmental health by requiring meat-processing plantings, including the JBS plant in Beardstown, Illinois, to use every available method to reduce the pollution they emit in the rivers, lakes, and streams we use for recreation and drinking water. Illinois communities are counting on it.

Thank you for your consideration. I look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dick Durbin", is positioned above a horizontal line.

Richard J. Durbin
U. S. Senator